

Harrington Park  
PLANNING BOARD  
**REGULAR MEETING MINUTES**  
Tuesday, June 12, 2018 @ 8:00PM

**Open Public Meeting Act Announcement:** In compliance with Chapter 231, Public Law 1975, adequate notice of this meeting was made. It has been posted on the Bulletin Board in the Municipal Center. Copies have been mailed to THE RECORD, NORTHERN VALLEY PRESS, and the NORTH JERSEY SUBURBANITE. A copy has been filed with the Borough Clerk and copies have been mailed to individuals requesting the same.

**ROLL CALL**

<b>Roll Call</b>	<b>PRESENT</b>	<b>ABSENT</b>
Chairman John CAPAZZI (JC)	X	
Vice-Chair Peter ARDITO (PA)	X	
Mayor Paul HOELSCHER (PH)	X	
Councilman Allan NAPOLITANO (AN)		X
Member Richard McLAUGHLIN (RM)	X	
Member Philip LEE (PL)	X	
Member Robert WALDRON (RW)		X
Alt. #1 Jesse BARRAGATO (JB)	X	
Alt. #2 Denise VELA (DV)	X	

**Also Present**

Jennifer Knarich, Board Attorney  
Anthony Kurus, Borough Engineer  
Richard Preiss, Borough Planner  
Ann Bistriz, RMC, Admin (for Carolyn Lee Land Use Secretary)

**MINUTES FOR APPROVAL**

April 10, 2018

No discussion.

	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
<b>Approval of April 10, 2018 minutes</b>						
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN			X			
Member Philip LEE	X		X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO		X	X			
Alt. #2 Denise VELA					X	

**INVOICES FOR APPROVAL**

Prof. Engineering Services	Neglia Engineering (Mar. 2018)	\$ 1,000.00
General 2018	Price, Meese Shulman & D'Arminio, P.C. (Mar. 2018)	\$ 177.18
Blue Hill Estates - Escrow	Price, Meese Shulman & D'Arminio, P.C. (Mar. 2018)	\$ 783.40
COAH	Price Meese (Mar. 2018)	\$ 690.00

**TOTAL \$ 2,650.58**

<b>Approval of listed invoices</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO		X	X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN	X		X			
Member Philip LEE			X			

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Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO			X			
Alt. #2 Denise VELA			X			

**STORMWATER MANAGEMENT TRAINING**

Ann Bistriz asked if the members have completed the online training. The borough must report to the state. The all members, except Mayor Hoelscher, indicated they have completed it.

**HEARINGS**

**1) Blue Hill Estates, Resolution**

The first couple of pages describe the application for preliminary subdivision approval, and variance relief with minimal lot frontage. The conditions are on page 10:

- posting of performance guarantees
- provide individual site plans of each proposed lot providing building height calculations of each proposed dwelling
- final approval by Harrington Park Fire and Police
- landscaping with Harrington Park Environmental Commission
- address drainage, water and sanitary connection issues and construction permits with Board Engineer
- general conditions in resolutions

No questions or comments on the resolution.

<b>Approval of Blue Hill Estates Resolution</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN	X		X			
Member Philip LEE			X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO		X	X			
Alt. #2 Denise VELA			X			

**2) Allegro Development – Application for Amended Final Site Plan Approval**

Ms. Knarich verified that the notices were adequate.

Bob Podvey is representing Allegro to propose some minor but important changes to site plan approval.

They would like to upgrade (upscale) and differentiate from other projects in the area, by enlarging the penthouse units on the top floor. See Architects floor plans exhibit A-55

The 2-bedroom mix ordinance requires 45% but will be lowered to 35%. Carports are also being proposed

The client feels that the carports were successful in the summer in Florida and would be beneficial for the winters here. This would be beneficial to upscaled units and reserved for tenants on 4<sup>th</sup> floor. No other expected changes.

Last change – sales trailer for 12 months. They would like it extended.

Neglia letter exhibit B-14

- Q: Where we are we with Bergen County? A: Expect letter of approval shortly this month.
- Q: Should they be amending the zone table on site plan? A: Will do after site plan hearing.
- Q: Amend light plan for carports? A: Allegro will work on the lighting plans for the carports.

Volunteer Ambulance Corps Questions:

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Discussed in February, April and November 2017 - Stretchers to be able to fit in elevator – Certification from Volunteer Ambulance Corps that the stretcher will fit in the elevator. The ramp will fit stretchers because it is required by code. Allegro will provide for private ambulance service on 24/7.  
Exhibit A-60 - another board meeting trailers dated 5/29.

Joe Miklich – will explain reasons for the change of the 2-bedroom mix, car port and market  
Dan King – Architect  
Lisa DiGerolamo - PS + S – Engineers

Ms. Knarich swore in Joe Miklich, Allegro Senior Living, 212 South Central Avenue, St. Louis, Missouri, Senior VP Development. Allegro agreed to cover weekday business hours as requested by the Ambulance Corps. If it will strain staff, Allegro will look into further additional coverage.

Penthouse change – Senior housing is a young and growing industry. Early models focused on small studios and 1-bedroom units. Over last 30 years, Allegro has been observant of what residents are asking for. They want more living space. Brandywine Senior Living in Mahwah and Livingston has rolled out the penthouse concept. Each of the neighborhoods is well occupied. This is a market differentiator by providing larger units. Competition in the area has 1-bedrooms, studios and small 2-bedrooms. Allegro has redesigned to include 18 units with larger living spaces by 300sf larger than the units on the lower floors. The top floor would have dedicated staff take care of resident needs. It was tricky because Allegro didn't want to change the unit count because of the larger units. Allegro redesigned the lower floors to keep the unit count consistent. The new unit count doesn't change the total obligation for affordable housing and doesn't impact the Medicaid bed obligation. Still meet COAH requirements. The percentages have changed. They could get a variance for the number of 2-bedroom units that has dropped further. 35% 2-bedroom has been part of Allegro's portfolio and has been successful. The studio amounts are reduced. These changes make it a more marketable product.

Exhibit A-55

3<sup>rd</sup> page break-out as discussed.

Last page - 4<sup>th</sup> floor layout

High-end finishes, fireplace, skylights

Mr. Barragato – electric or gas fireplace? A: TBD

Mr. Barragato - electric may be safer? A: Gas may be planned, but will work with the fire department.

Allegro considered detached garages, but are proposing carports. The carports may be included with the penthouse units or it could be first come first served for all the residents in the building. It is still to be determined.

Carports are for the winter months for the active drivers so they don't have to scrape ice off the windshield and keep the cars cooler in the summer months.

Ms. Vela – will the carports be well lit? A: Yes. There won't be any change to the lighting in the parking lot.

Mr. Ardito – Are you replacing the trees with the carport area? A: The landscape island with the larger shade trees has been preserved. Refer to Site Plan A-59.

Mr. Ardito – The Environmental Commission requested solar panels on the carports. Mr. Miklich will take this into consideration and will look at aesthetics, cost and engineering.

Mr. Miklich discussed a concern that the height of the carports would be 14ft high and will block the views of the reservoir. There is no obvious negative view impact with the location of the carports. They want to make a good first impression.

Option 2 is preferred with 16 spaces covered parking with more prominent location.

Sales Trailer – Exhibit A-60

There was a lot of thought of where the least destructive location would be. They could direct traffic into the parking lot. The trailer is located on the top of the existing parking lot. It would connect this with the

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main entrance. The sales office would be easy to find. Goal is to hire the executive director of the community 1 year out from the first resident. This helps the staff into the market place, getting connections with the doctors and skilled nursing facilities. This will help build the name and brand recognition in the market. The trailer would typically be there about 13 month prior to opening. It would take about 30 days to build up. It would be 16ft x 40ft. A board member asked if they have considered getting wifi and not having wires going through trees. They have considered utilities getting to the trailer and will make sure they will get the permits, connection to sanitary line, Internet, phone, and power. This is an easy location. They will vacate as soon as staff can move into the building and remove from the site. Allegro is requesting that the trailer will be on site for 16 months if necessary.

They expect to be up in running in September of next year. They can submit to the Department of Community Affairs for technical review (3-6 months), then they will be able to break ground. It would be an 18-20 month process.

Ms. Knarich swore in Daniel King, 227 East Lancaster Ave, PA.

Exhibit A-55

2-bedroom units range from upper 900-1200sf, 1-bedrooms range from lower 900-1100sf. The sizes of the 1-bedroom units are increased to mid-900s - 1100sf, 2-bedrooms go up to 1400+ sf. The units have bigger kitchens and closets and fantastic views of the woods and reservoir.

Exhibit A-56 (Carport) and A-57 (Porte Cochere)

A-57 shows latest rendering of the entrance design. The arched porte cochere would have wood trusses, classical columns and stone base. Carports would match the design of the building with 2 rows of columns, wood trusses and stainless steel roof. It is possible use of solar panels on the east side to take advantage of the sun. LED flat light to adjust levels of the outlet and would match what was previously approved.

Mr. Ardito – Façade – The Environmental Commission feels that the white is stark and would like Allegro to reconsider another color. Mr. King said that they could use off-white, but white is a nice clean color. They will play with shades. The majority of the board likes the contrast. Allegro will look into it.

Pool enclosure has evolved since February. It has the same building shape and footprint. It is more modern looking, all glass, partitions that open in the summer and skylight over the center. Ms. Knarich asked if there will be a sign where it says “Pool”? Mr. King confirmed there would not be.

Ms. Vela asked if the white was painted or vinyl. A: The white will be painted on PVC material. There will be routine maintenance such as power washing to remove mold and mildew.

Mayor Hoelscher asked if the pool was year round. A: Yes.

Mr. Capazzi asked if the elevators would be large enough for the stretches. A: They will be to code and will have a side entrance.

Ms. Knarich swore in Richard Preiss, the Board Planner. Mr. Preiss asked whether the carports would be designated to particular residents. Mr. Miklich testified to this. Mr. Preiss wanted to know if there would be enough parking for visitors and guests. Mr. Podvey referred to previous testimony that additional parking would be arranged if there was an event. Allegro has planned for more spots than necessary. The applicant will work with local country clubs, churches or schools for overflow parking and use their community bus to transport to the site.

Ms. Knarich swore in Anthony Kurus, Neglia Engineering, 34 Park Avenue, Lyndhurst, NJ. Lighting was addressed. Option 1 has 162 parking stalls. Option 2 has with 164 parking stalls. The requirement is 132 spaces. With either option, there is more parking than required. All questions have been answered.

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Meeting Open to Public  
Motion: PH      Second: PA  
All in favor said "Aye". None opposed.

No public.

Meeting Closed to Public  
Motion: PH      Second: PA  
All in favor said "Aye". None opposed.

A poll was taken on parking on option 1 or 2. The Board selected option 2.

Mr. Podvey reviewed that the interior changes were explained and justified. The carports were discussed and take into account the solar panels if it can work. The trailer will be there for of 16 months. The changes requested is better for the project resulting from further research from the client in terms of the competition is and designed to make it successful.

Mayor Hoelscher asked about the timeframe for the outstanding documents relating to the BCUW project that they are waiting for. Mr. Miklich received an email from Mr. Toronto indicating that it would be at the end of the week. The applicant is hoping to get final DCA approval in December and is working with Suez to access the site earlier for demolition in the fall. Full project or ground breaking may be in January 2019. The BCUW will be moving ahead as soon as the ordinance is in play.

Ms. Knarich summarized the following changed items:

- work with the Fire Department in terms of the fireplaces
- provide a lighting plan for the carports that will be consistent with initial plan
- board discussed a different color, but decided to keep the color the same.
- review solar panels for carports

<b>Approval the application based on summary of changes for follow-up</b>	<b>MOTION</b>	<b>SECOND</b>	<b>YES</b>	<b>NO</b>	<b>ABSTAIN</b>	<b>ABSENT</b>
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO			X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN	X		X			
Member Philip LEE			X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO		X	X			
Alt. #2 Denise VELA			X			

- 3) Housing Element and Fair Share Plan dated April 27, 2018 prepared by Richard Preiss, of Phillips Preiss Grygiel Leheny Hughes LLC, Planning and Real Estate Consultants

Ms. Knarich swore in Richard Preiss, Borough Planner. Adequate notice was made for the public hearing. Mr. Preiss presented a draft of the document was presented to the Board earlier this year. The Housing Element and Fair Share Plan is part of the Borough's Master Plan. When it is adopted, it is adopted as an amendment to the master plan. The borough filed a declaratory judgment action with the courts of New Jersey to protect itself against builder's remedy lawsuits to make sure that no developer came in to sue the town not to provide their share of affordable housing. The borough negotiated with fair share housing center, and worked with the court appointed master to reach the settlement. The settlement was ratified by

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the court at the fairness hearing. A schedule was put in place which requires the borough to adopt the housing element and fair share plan and implement items in the fair share plan through re-zoning or amendment to zoning. At that point we will go back to court and the court will ratify the overall plan. The adoption of the Housing Element and Fair Share Plan is the first step in the ratification process. The document consists of 2 parts. One part is housing element, a mandatory requirement for the borough to provide census statistics on housing, population, income, etc. That information has been updated with the most recent census information that is available through the US census.

Affordable housing plan has 3 elements.

- 1) The rehabilitation share, represents the number of units in the community that is occupied by low or moderate income who's unit is substandard by reason of not having adequate heating, plumbing or some other defect. The estimate based on the Kinsey report, the planning consultant to the fair share housing center, was 4 units. The borough has agreed with that number and will continue to rely on the Bergen County Housing Improvement program to fund the rehabilitation of those units.
- 2) Prior Round Obligation, was between 1987-1993, and 1994-1999. The obligation was 56 units. The borough was certified. They were able through vacant land analysis to reduce the number to 8 units. That number was satisfied through regional contribution agreement and a creation of accessory apartment program.
- 3) The third round, the borough agreed as part of a settlement to a perspective need for 1999-2025 of a goal of 163 units. Through a vacant land analysis, the available capacity to build affordable housing by 2025 was 12 units. The Borough will meet that number is summarized on page 17, table 22 though Allegro and a 3 way agreement between borough, Bergen County United Way (BCUW) and Allegro that has yet to be finalized. The gas station property and the boarding house will be purchased; the existing structures will be demolished. And in its place, there will be a group home, family rental units, additional supportive units, and 9 market rate townhouse development. The plan is that Allegro will transfer \$900,000 to BCUW to subsidize the development. The developer of the 9 townhouses will make a payment to BCUW. With that, BCUW should be able to purchase and build the units. This will take care of the perspective need obligation. As a contingency plan if BCUW cannot build the units, Allegro will purchase the gas station site and build 9 family rental units with bonuses will be able to meet the perspective need obligation. Once the Borough has satisfied the perspective need obligation, the difference between the perspective need (163 units) and the RDP is a number known as the unmet need is an aspirational number. If opportunities arise, affordable housing will be part of those re-developments.

In the second round, the borough adopted overlay zoning in the industrial area. Those will be retained in their current form and adding the Rockland Electric property. There is an area that can allow for 3 units to be provided. If in the future these properties are re-developed there will be an obligation to provide affordable housing as part of that unit.

There is a spending plan. There is not a lot of funding and it hasn't been identified of any particular need for this funding. The fund could be needed if BCUW only funds sale units if rental units need to be rehabilitated or the creation of accessory apartments. A portion of this money is held in reserve to help someone not able to a down payment to occupy the affordable unit.

Meeting Open to Public

Motion: RM      Second: PA

All in Favor said "Aye". None opposed.

No public.

Meeting Closed to Public

Motion: PH      Second: RM

All in Favor said "Aye". None opposed.

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<b>Approval of the Fair Share Housing Plan</b>	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO		X	X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN	X		X			
Member Philip LEE			X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO			X			
Alt. #2 Denise VELA			X			

**DISCUSSION**

- 1) An Ordinance Amending Chapter 303 the Code of the Borough of Harrington Park titled “Subdivision and Site Plan Review,” to Update the Provisions Requiring Performance and Maintenance Guarantees.**

This was reviewed in last month. It updates the provision requiring performance and maintenance guarantees pursuant to recent state legislation amended of the section of the land use law. No questions or comments. The Board made a finding of consistency with the Master Plan and refers it back to Council.

<b>To refer back to Council</b>	MOTION	SECOND	YES	NO	ABSTAIN	ABSENT
Chairman John CAPAZZI			X			
Vice-Chair Peter ARDITO	X		X			
Mayor Paul HOELSCHER			X			
Councilman Allan NAPOLITANO						X
Member Richard McLAUGHLIN			X			
Member Philip LEE			X			
Member Robert WALDRON						X
Alt. #1 Jesse BARRAGATO		X	X			
Alt. #2 Denise VELA			X			

- 2) Zoning Code Modification – Allow an increase for the width of a driveway of a single car garage (and no garage) to a maximum of 20 feet.**

Board reviewed the amendment. Mr. Capazzi asked for questions. All in favor said “Aye” for Mayor and Council. Let Joe Zavardino know of the decision.

**NEW BUSINESS**

**Environmental Commission – Trees on Right of Way**

Mr. Ardito mentioned that Rockland Electric is putting in new poles and have cut down trees in the process. Riveredge has excess red bud trees in their tree bank that Harrington Park will plant.

County is not in control of right of way. The municipality is in control of the right of way. The Environmental Commission is considering planting trees on the county right of way and would like Mayor and Council to add an ordinance that people cannot cut down trees on the town right of way.

Mr. Preiss mentioned that homeowners are not permitted to cut down or move vegetation on county or town without Borough permission. It is an enforcement and public education issue. You may want to adopt a steep fine if the tree

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is topped or removed. Ms. Bistriz added that homeowners plant on right of way or easement, but there is no enforcement. She refers people to the building department. There is no shade tree commission. Mr. Ardito would like to protect the trees that will be planted. Discussion continued. Mr. Ardito will put the request into an email.

**Pastore Application – Follow-up**

The Pastore application approval was almost a year ago. Can we get a follow-up for CO for her office? They have not completed landscape plan that was part of the application. Ms. Knarich will follow up with Mr. Kurus on compliance with their approvals.

There were a number of cars parked at the location, but it has been addressed by the Building Department. There are also chickens on the property.

**MEETING OPEN TO THE PUBLIC**

No one from Public.

**MEETING CLOSED TO THE PUBLIC**

**ADJOURN at 9:25PM**

Motion: JB

Second: RM

All in Favor said “Aye”. None opposed.

NEXT SCHEDULED PLANNING BOARD  
REGULAR MEETING  
**Tuesday, July 10, 2018 at 8pm**